



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,004	01/16/2002	Maria Azua Himmel	AUS920010629US1	6341

7590

04/06/2006

Jeffrey L. Streets
Suite 355
13831 Northwest Freeway
Houston, TX 77040

EXAMINER

PWU, JEFFREY C

ART UNIT	PAPER NUMBER
----------	--------------

2143

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/047,004	Applicant(s) HIMMEL ET AL.	
	Examiner Jeffrey C. Pwu	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination

1. The Final rejection of claims 1-44 over Sronivassan is hereby withdrawn in view of applicant's Appeal Brief filed 1/11/06. Any inconvenience is regretted.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Clapper (US 2003/0026403).

Clapper discloses claims:

1. A method for providing a Uniform Resource Locator (URL) to a customer comprising: (see method steps of fig.2)
 - receiving a telephone call having a customer identification record including a destination address associated with a communications terminal of the customer; ([0017] "The appliance includes a telephone mechanism 30 ("local phone") for connecting to the telephone system. It includes a caller ID mechanism 32 for receiving caller ID information from the telephone system. It includes an internet client 34 for connecting to the internet or other such data system.

It also includes a search director 36 for conducting searches of the remote websites. The appliance includes an email program 38 for sending email via the internet client to one or more of the remote email clients. The appliance includes a data presentation composer 40, such as an html (hypertext markup language) composer for preparing html pages for local display or for serving to remote clients. The appliance further includes memory 42 or storage, such as a hard disk, recordable compact disc (CD-R), rewriteable compact disc (CD-RW), semiconductor memory, or other suitable storage mechanism for storing data. It also includes a processor 44 for performing logic and data manipulation operations. The appliance may include an audio encoder 46 such as an MP3 encoder, and an audio decoder or player 48 such as an MP3 player. Finally, the appliance includes a presentation interface 50, such as a video display screen and an audio speaker.”)

- selecting at least one URL to be sent to the destination address; and (¶ [0026] “FIG. 4 illustrates one exemplary embodiment of a voicemail interface web page which may be constructed by the html composer. The information is shown as being presented in tabular format, but other formats are certainly possible and within the scope of this invention. The voicemail interface web page may include entries for each of the voicemail messages received, or perhaps for a subset, as in the case where there are too many to show on a single page. The presented data might include, for example, the date and time when the call was received, the phone number from which the call was placed (unless caller ID information was not made available for that call), the name of the caller if the internet or local lookup was successful, and other such information such as street address, email address, **uniform resource locator (URL) of the caller's website**, and so forth.”)

Art Unit: 2143

- generating and sending an electronic message containing the at least one URL to the destination address ([0017], “an email program 38 for sending email via the internet client to one or more of the remote email clients. The appliance includes a data presentation composer 40, such as an html (hypertext markup language) composer for preparing html pages for local display or for serving to remote clients.”)

2. The method of claim 1, wherein the wherein the e-mail contains additional items selected from an electronic coupon, an on-line trial subscription, a user ID, a user password, advertisements, merchant information, or combinations thereof, wherein the user ID and user password are required by the Website having the address of the URL. ([0017], “ The appliance includes a data presentation composer 40, such as an html (hypertext markup language) composer for preparing html pages for local display or for serving to remote clients.”)

3. The method of claim 1, further comprising: recording the at least one URL into a bookmark section of a browser in the communications terminal. ([0024])

4. The method of claim 1, wherein the customer has a telephone system selected from a digital telephone, a centrex, a PBX, a telephone service provider and combinations thereof. ([0016] “The system includes a phone system 12 such as the public switched telephone system, or a PBX, or a packet switched network, or any other suitable telephone system.”)

5. The method of claim 1, wherein the merchant has a telephone system selected from a digital telephone, a centrex, a PBX, a telephone service provider and combinations thereof ([0016])

Art Unit: 2143

6. The method of claim 1, wherein the communications terminal is selected from a mobile telephone, a personal computer, a handheld computer, a personal digital assistant and combinations thereof (personal computer; PBX).

7. The method of claim 1, wherein the communications terminal is a device capable of receiving e-mail (Fig.4, email received).

8. The method of claim 1, wherein the destination address for the communications terminal is selected from a computer network address, an Internet address and a telephone number (See fig.4; a computer network address, an Internet address and a telephone number).

9. The method of claim 1, wherein each URL comprises an address for connecting to a Website (Fig. 4, "www.chute.com").

10. The method of claim 1, wherein the step of recording the destination address comprises: selecting a menu function on a telephone system of the customer for recording the destination address associated with the communications terminal; and specifying the destination address on an interactive display provided by the telephone system of the customer (Fig.4)

11. The method of claim 10, further comprising: saving the destination address as part of a caller ID within the telephone system (caller ID from "D.B.Cooper", "Tom Li", "DAD", "Gear Co.", "<private>").

12. The method of claim 11, wherein the caller ID contains information selected from date, time, customer telephone number, customer name, customer e-mail address or combinations thereof (Fig.4, "Date", "Time").

13. The method of claim 1, wherein the step of selecting the at least one URL further comprises: requesting the telephone system of the merchant to provide a menu of URLs, wherein the menu provides a code associated with each of the URLs; and choosing the at least one URL to capture by entering the associated code, using a keypad on the customer's telephone, for each of the selected URLs (Fig.4, "administer password").

14. The method of claim 1, wherein the step of obtaining the destination address is selected from reading the address from a caller ID, querying the customer to transmit the address to the telephone system of the merchant, or combinations thereof ([0026]-[0029]).

Claims 15-44 are similarly rejected as in claims 1-44.

15. A method for sending a Uniform Resource Locator (URL) to a communications terminal comprising: registering a destination address of the communications terminal with a database maintained by a sender; selecting at least one URL to be sent to the communications terminal during a telephone call to the sender; generating an e-mail by a telephone system of the sender containing the at least one URL; and sending the e-mail containing the at least one URL from a telephone system of the sender to the destination address of the communications terminal

Art Unit: 2143

16. The method of claim 15, wherein the step of sending an e-mail further comprises: detecting the customer identification; and dispatching the e-mail to the destination address registered in the sender database under the customer identification, wherein the customer identification is detected by a technique selected from reading the customer identification from the caller ID, querying the customer for the customer identification, or combinations thereof

17. A method for obtaining a Uniform Resource Locator (URL) for use by a communications terminal comprising: selecting at least one URL to be sent to the communications terminal during a telephone call to a sender; automatically providing a destination address to the sender during the same telephone call; and receiving an e-mail message containing the at least one URL from a telephone system of the sender.

18. A computer program product including instructions embodied on a computer readable medium, for sending a Uniform Resource Locator (URL) to a communications terminal, the instructions comprising: recording instructions for recording a destination address of the communications terminal into a telephone system of the customer; selecting instructions for selecting at least one URL to be sent to the communications terminal during a telephone call to a sender; obtaining instructions for the telephone system of the sender to obtain the destination address; generating instructions for generating an e-mail by the sender's telephone system containing the at least one URL; and sending instructions for sending the e-mail containing the at least one URL from a telephone system of the sender to the destination address of the communications terminal.

19. The computer program product of claim 18, wherein the wherein the e-mail contains additional items selected from an electronic coupon, an on-line trial subscription, a user ID, a

Art Unit: 2143

user password, advertisements, sender information, or combinations thereof, wherein the user ID and user password are required by the Website having the address of the URL.

20. The computer program product of claim 18, further comprising: recording instructions for recording the at least one URL into a bookmark section of a browser on the communications terminal .

21. The computer program product of claim 18, wherein the customer telephone system is selected from a digital telephone, a centrex, a PBX, a telephone service provider or combinations thereof .

22. The computer program product of claim 18, wherein the sender telephone system is selected from a digital telephone, a centrex, a PBX, a telephone service provider or combinations thereof.

23. The computer program product of claim 18, wherein the communications terminal is selected from a mobile telephone, a personal computer, a handheld computer, a personal digital assistant or combinations thereof.

24. The computer program product of claim 18, wherein the communications terminal is a device capable of receiving e-mail.

25. The computer program product of claim 18, wherein the destination address for the communications terminal is selected from a computer network address, an Internet address or a telephone number.

26. The computer program product of claim 18, wherein each URL comprises an address for connecting to a Website.

27. The computer program product of claim 18, wherein the recording instructions for recording the destination address comprises: selecting instructions for selecting a menu function on the

Art Unit: 2143

telephone system of the customer for recording the destination address of the communications terminal; specifying instructions for specifying the destination address on an interactive display provided by the telephone system of the customer. (¶ [0016]-[0024])

28. The computer program product of claim 27, further comprising: saving instructions for saving the destination address as part of a customer ID within the telephone system.

29. The computer program product of claim 28, wherein the caller ID contains information selected from date, time, customer telephone number, customer name, customer e-mail address or combinations thereof. (¶ [0016]-[0024])

30. The computer program product of claim 18, wherein the selecting instructions for selecting the one or more URL's further comprises: requesting instructions for requesting the sender telephone system to provide a menu of URLs, wherein the menu provides a code for each of the URLs; choosing instructions for choosing the at least one URL to capture, wherein choosing is accomplished by entering the code, using a keypad on the customer telephone, for each URL selected. (Fig.4)

31. A computer system for providing a Uniform Resource Locator (URL) to a customer comprising: receiving means for receiving a telephone call having a customer identification record including a destination address associated with a communications terminal of the customer; selection means for selecting at least one URL to be sent to the destination address; messaging means for generating and sending an electronic message containing the at least one selected URL to the destination address. (¶ [0016]-[0024])

32. The computer system of claim 31, wherein the wherein the e-mail contains additional items selected from an electronic coupon, an on-line trial subscription, a user ID, a user password,

Art Unit: 2143

advertisements, sender information, or combinations thereof, wherein the user ID and user password are required by the Website having the address of the URL (§ [0016]-[0024]).

33. The computer system of claim 31, further comprising: recording means for recording the at least one URL into a bookmark section of the communications terminal's browser (§ [0016]-[0024]).

34. The computer system of claim 31, wherein the customer telephone system is selected from a digital telephone, a centrex, a PBX, a telephone service provider and combinations thereof (telephone, PBX)

35. The computer system of claim 31, wherein the sender telephone system is selected from a digital telephone, a centrex, a PBX, a telephone service provider and combinations thereof (telephone, PBX)

36. The computer system of claim 31, wherein the communications terminal is selected from a mobile telephone, a personal computer, a handheld computer, a personal digital assistant and combinations thereof (pc, digital phone)

37. The computer system of claim 31, wherein the communications terminal is a device capable of receiving e-mail (col.1, line 60-col.2, line 19).

38. The computer system of claim 31, wherein the destination address for the communications terminal is selected from a computer network address, an Internet address and a telephone number (Fig.4)

39. The computer system of claim 31, wherein each of the URL comprise an address for connecting to a Website (figs.1-4)

40. The computer system of claim 31, wherein the recording means further comprises: menu

means for selecting a menu function on the telephone system of the customer for recording the communications terminal's destination address; specifying means for specifying the destination address on an interactive display provided by the customer telephone system (Fig.4)

41. The computer system of claim 40, further comprising: storage means for storing the destination address as part of a caller ID within the telephone system (§ [0016]-[0024])

42. The computer system of claim 41, wherein the caller ID contains information selected from date, time, customer telephone number, customer name, customer e-mail address or combinations thereof (Fig.4).

43. The computer system of claim 31, wherein the selection means further comprises: requesting means for requesting the sender's telephone system to provide a menu of URLs, wherein the menu provides a code for each of the URLs; and selecting means for selecting the at least one URL to capture by entering the code, using a keypad on the customer telephone, for each of the at least one URL selected (§ [0016]-[0024]).

44. The computer system of claim 31, wherein the receiving means includes reading means for reading the destination address from a caller ID record (§ [0016]-[0024]).

Response to Arguments

4. Applicant's arguments with respect to claims 1-44 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey C. Pwu whose telephone number is 571-272-6798. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



4/2/06
JEFFREY PWU
PRIMARY EXAMINER